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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MICHAEL L. STEVENS,  
  
Defendant.

CASE NO. 2:04-CR-289 WBS

STIPULATION AND ~~PROPOSED~~ ORDER TO  
CONTINUE ADMIT/DENY HEARING

DATE: March 14, 2016

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for an admit/deny hearing on March 14, 2016.
2. By this stipulation, the parties now jointly move to continue the admit/deny hearing to March 28, 2016 at 9:00 a.m.
3. The defendant is facing California state criminal charges on the conduct alleged in his supervised release petition.
4. On December 16, 2014, U.S. Magistrate Judge Allison Claire ordered the defendant detained based on her finding that he posed a danger to the community. Dkt. #97. At the parties' last court appearance on November 16, 2015, they agreed to allow the federal matter to trail the state criminal case. Dkt. #117.

1           5.       A California Superior Court has since issued a writ moving the defendant to state  
2 custody. The writ specifies that the defendant shall remain in state custody until his state case is  
3 resolved, at which time he shall be returned to federal custody.

4           6.       On January 22, 2016, a California Superior Court ruled that there was probable cause to  
5 believe the defendant had committed the alleged state crime and held him to answer. The defendant's  
6 trial is set for April 18, 2016. On this basis, the parties had expected to continue their March 14, 2016  
7 appearance for several months.

8           7.       When defense counsel met with the defendant on Thursday, March 10, 2016, the  
9 defendant said that he would like to appear in federal court to discuss an issue with the Court. Because  
10 the defendant is in state custody, the parties need to conduct legal and logistical research on whether and  
11 how this appearance might occur. The parties believe that the continuance will provide them with an  
12 opportunity to conduct this research.

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1           8.       The parties have also consulted with U.S. Probation Officer Rebecca Fidelman, and she  
2 does not object to the continuance.

3           IT IS SO STIPULATED.

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5 Dated: March 11, 2016

BENJAMIN B. WAGNER  
United States Attorney

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7           /s/ AMANDA BECK  
8           AMANDA BECK  
9           Assistant United States Attorney


10 Dated: March 11, 2016

11           /s/ DAVID FISCHER  
12           DAVID FISCHER  
13           Counsel for Defendant  
14           MICHAEL L. STEVENS

15                               **ORDER**

16           IT IS SO FOUND AND ORDERED.

17 Dated: March 11, 2016

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19                               WILLIAM B. SHUBB  
20                               UNITED STATES DISTRICT JUDGE